

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROBERT DAVIS, et al.,

Plaintiffs,

Case No. 17-cv-11742
Hon. Mark A. Goldsmith

vs.

DETROIT DOWNTOWN
DEVELOPMENT AUTHORITY,
et al.

Defendants.

ORDER

On June 13, 2017, Plaintiffs filed an “emergency motion” for declaratory judgment on Count VII of their amended complaint (Dkt. 19). The Court, in its discretion, will not treat this motion on an emergency basis, and it denies Plaintiffs’ request for a hearing to be held concurrently with the scheduled hearing on their motion for a preliminary injunction (Dkt. 8).

By Plaintiffs’ own account, they received the certified mail receipts of the notices that form the basis for the motion on June 1, 2017. See Pl. Mot. at 11 (“[O]n June 1, 2017, the Defendant DDA provided Plaintiff Davis with a copy of the certified mail receipts . . .”). That was four days before this action was filed and 12 days before the Count VII “emergency motion.” Plaintiffs’ lack of alacrity undercuts any claim of “emergency.” Further, the Court has significant concerns whether Plaintiffs have standing regarding Count VII, given that Plaintiffs’ standing to assert that claim is far from clear.

Accordingly, Plaintiffs shall file a memorandum (not to exceed 10 pages, exclusive of attachments) by June 23, 2017 setting forth the factual and legal basis Plaintiffs’ standing to bring

Count VII. Defendants shall file a response to the standing memorandum by July 7, 2017 (not to exceed 10 pages, exclusive of attachments). In the interim, Defendants need not respond in any other fashion to the Count VII “emergency motion” until further order of the Court.

SO ORDERED.

Dated: June 15, 2017
Detroit, Michigan

s/Mark A. Goldsmith
MARK A. GOLDSMITH
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on June 15, 2017.

s/Karri Sandusky
Case Manager